



## LEGAL DEPARTMENT

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E-MAIL ADDRESS: Robert\_Dulaney@homedepot.com

## FACSIMILE TRANSMITTAL SHEET

TO:	FROM:
Examiner Clark Dexter Group Art Unit 3724	Robert Dulaney, Corporate Counsel-Intellectual Property
COMPANY:	DATE:
USPTO	July 7, 2004
FAX NUMBER:	TOTAL NO. OF PAGES INCLUDING COVER: 10
(703) 872-9306	

RE:

☐ Per Your Request ☐ Urgent ☐ For Review ☐ Please Comment ☐ Please Reply

NOTES/COMMENTS:

Enclosed are the following documents for Application No. 09/416,210:

1. Statement under 37 CFR 3.73(b) with copies of assignments in chain of title;
2. Power of Attorney;
3. Change of Correspondence Address; and
4. Notice of Appeal

Original will NOT follow by mail.

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PTO/SB/96 (08-03)

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## STATEMENT UNDER 37 CFR 3.73(b)

Applicant/Patent Owner: Emerson Electric Co.Application No./Patent No.: 09/418,210Filed/Issue Date: 10/8/1999Entitled: Table SawHome Depot U.S.A., Inc.a Delaware corporation

(Name of Assignee)

(Type of Assignee, e.g., corporation, partnership, university, government agency, etc.)

states that it is:

1. ☐ the assignee of the entire right, title, and interest; or2. ☐ an assignee of less than the entire right, title and interest.

The extent (by percentage) of its ownership interest is \_\_\_\_\_ %

in the patent application/patent identified above by virtue of either:

A. [ ] An assignment from the inventor(s) of the patent application/patent identified above. The assignment was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

OR

B. [ ] A chain of title from the inventor(s), of the patent application/patent identified above, to the current assignee as shown below:

1. From: \_\_\_\_\_ To: \_\_\_\_\_  
The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.2. From: \_\_\_\_\_ To: \_\_\_\_\_  
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The document was recorded in the United States Patent and Trademark Office at Reel \_\_\_\_\_, Frame \_\_\_\_\_, or for which a copy thereof is attached.

[ ] Additional documents in the chain of title are listed on a supplemental sheet.

☒ Copies of assignments or other documents in the chain of title are attached.

[NOTE: A separate copy (i.e., the original assignment document or a true copy of the original document) must be submitted to Assignment Division in accordance with 37 CFR Part 3, if the assignment is to be recorded in the records of the USPTO. See MPEP 302.08]

The undersigned (whose title is supplied below) is authorized to act on behalf of the assignee.

7/6/2004  
Date  
(770) 384 2838  
Telephone numberRobert B. Dulaney III  
Typed or printed name  
[Signature]  
SignatureAttorney-in-Fact  
Title

This collection of information is required by 37 CFR 3.73(b). The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

PATENT  
ESPD:012

## ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, the undersigned, does hereby:

SELL, ASSIGN AND TRANSFER to EMERSON ELECTRIC CO. (the "Assignee"), a corporation of Missouri having a place of business at 8000 West Florissant Avenue, P.O. Box 4100, St. Louis, MO 63136, his entire right, title and interest for the United States and all foreign countries in and to any and all improvements which are disclosed in United States Patent entitled "TABLE SAW" filed concurrently herewith; such application and all divisional, continuing, substitute, renewal, reissue and all other applications for patent which have been or shall be filed in the United States and all foreign countries on any of such improvements; all original and reissued patents which have been or shall be issued in the United States and all foreign countries on such improvements; and specifically including the right to file foreign applications under the provisions of any convention or treaty and claim priority based on such application in the United States;

AUTHORIZE AND REQUEST the issuing authority to issue any and all United States and foreign patents granted on such improvements to the Assignee;

WARRANT AND COVENANT that no assignment, grant, mortgage, license or other agreement affecting the rights and property herein conveyed has been or will be made to others by the undersigned, and that the full right to convey the same as herein expressed is possessed by the undersigned;

COVENANT, when requested and at the expense of the Assignee, to carry out in good faith the intent and purpose of this assignment, the undersigned will execute all divisional, continuing, substitute, renewal, reissue, and all other patent applications on any and all such improvements; execute all rightful oaths, declarations, assignments, powers of attorney and other papers; communicate to the Assignee all facts known to the undersigned relating to such improvements and the history thereof; and generally do everything possible which the Assignee shall consider desirable for vesting title to such improvements in the Assignee, and for securing, maintaining and enforcing proper patent protection for such improvements;

TO BE BINDING on the heirs, assigns, representatives and successors of the undersigned and extend to the successors, assigns and nominees of the Assignee.

Signature: William Lane

Name: WILLIAM LANE

Date: 5/5/97STATE OF §§  
§ ss.COUNTY OF York

BEFORE ME, the undersigned authority, on this 5th day of May, 1997, personally appeared WILLIAM LANE known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

[SEAL]

Thomas Francis Dowdy, a Commissioner, etc.  
Regional Municipality of York  
for Emerson Electric Canada Limited  
Expires February 4, 2000.

Signature: John Bartlett

Name: JOHN BARTLETT

Date: 5/5/97STATE OF §§  
§ ss.COUNTY OF YORK

BEFORE ME, the undersigned authority, on this 5 day of May, 1997, personally appeared JOHN BARTLETT known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Thomas Francis Dowdy, a Commissioner, etc.  
Regional Municipality of York  
for Emerson Electric Canada Limited  
Expires February 4, 2000.

Signature: [Signature]Name: **JOHN LABALLISTER**

STATE OF MISSOURI §

COUNTY OF YORK § ss.

BEFORE ME, the undersigned authority, on this 5th day of May, 1997, personally appeared **JOHN LABALLISTER** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Thomas Francis Dewey, a Commissioner, the  
Regional Municipality of York  
for Emerson Electric Canada Limited  
Expires February 4, 2000.

[SEAL]

Signature: [Signature]Name: **JAMES HILLIARD**STATE OF Ontario §COUNTY OF YORK § ss.

BEFORE ME, the undersigned authority, on this 5th day of May, 1997, personally appeared **JAMES HILLIARD** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Thomas Francis Dewey, a Commissioner, the  
Regional Municipality of York  
for Emerson Electric Canada Limited  
Expires February 4, 2000.

[SEAL]

Signature: [Signature]Name: **WILLIAM DICKE**

Province of Ontario §

STATE OF Ontario § ss.COUNTY OF York Region §COUNTY OF York Region §

BEFORE ME, the undersigned authority, on this 7th day of May, 1997, personally appeared **WILLIAM DICKE** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

Signature: [Signature]Name: **KEITH SCHOENE**STATE OF Missouri §COUNTY OF St Louis § ss.COUNTY OF St Louis §

BEFORE ME, the undersigned authority, on this 16th day of April, 1997, personally appeared **KEITH SCHOENE** known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Notary or Consular Officer

[SEAL]

LAURA M. KNOTTS  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXP. OCT. 14, 1998

Signature: Daniel Terpstra  
Name: DANIEL TERPSTRA

Date: April 15, 1997

STATE OF MISSOURI §  
§ ss.  
COUNTY OF ST LOUIS §

BEFORE ME, the undersigned authority, on this 15 day of April, 1997, personally appeared DANIEL TERPSTRA known to me to be the person whose name is subscribed to the foregoing instrument and acknowledged to me that he executed the same of his own free will for the purposes and consideration therein expressed.

Laura M Knotts  
Notary or Consular Officer

[SEAL]

LAURA M KNOTTS  
NOTARY PUBLIC STATE OF MISSOURI  
ST. LOUIS COUNTY  
MY COMMISSION EXP. OCT. 14, 1998

ARNOLD WHITE & DURKEE

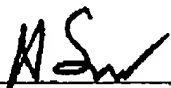
P.O. Box 4433  
Houston, Texas 77210

2001 Jefferson Davis Highway, Suite 401  
Arlington, Virginia 22202

## CONFIRMATION OF ASSIGNMENT

FOR GOOD AND VALUABLE CONSIDERATION, the receipt, sufficiency and adequacy of which are hereby acknowledged, EMERSON ELECTRIC CO., a corporation of the State of Missouri having a place of business at 8000 W. Florissant Avenue, St. Louis, Missouri 63136, hereby confirms that, effective May 1, 2003, all rights, title and interest in and to pending United States Patent Application Serial No. 09/416,210, including all rights to sue or take any other action with respect to any past or future infringement, have been assigned to THE HOME DEPOT, INC., a corporation of the State of Delaware having a place of business at 2455 Paces Ferry Road, N.W., Atlanta, Georgia 30339.

Signature: \_\_\_\_\_



Date: \_\_\_\_\_

11 Nov 2003

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## POWER OF ATTORNEY TO PROSECUTE APPLICATIONS BEFORE THE USPTO

I hereby appoint:

☒ Practitioners associated with the Customer Number:

38,819

OR

☐ Practitioner(s) named below (if more than ten patent practitioners are to be named, then a customer number must be used):

Name	Registration Number

as attorney(s) or agent(s) to represent the undersigned before the United States Patent and Trademark Office (USPTO) in connection with any and all patent applications assigned only to the undersigned according to the USPTO assignment records or assignment documents attached to this form in accordance with 37 CFR 3.73(b).

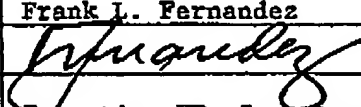
Assignee Name and Address:

Home Depot USA, Inc.  
2455 Paces Ferry Road  
Atlanta, GA 30339

A copy of this form, together with a statement under 37 CFR 3.73(b) (Form PTO/SB/96 or equivalent) is required to be filed in each application in which this form is used. The statement under 37 CFR 3.73(b) may be completed by one of the practitioners appointed in this form if the appointed practitioner is authorized to act on behalf of the assignee, and must identify the application in which this Power of Attorney is to be filed.

## SIGNATURE of Assignee of Record

The individual whose signature and title is supplied below is authorized to act on behalf of the assignee

Name	Frank L. Fernandez	Date	3/2/04
Signature		Telephone	(770) 433-8211
Title	Executive VP, Secretary & General Counsel		

This collection of information is required by 37 CFR 1.31 and 1.33. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 3 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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